

EXHIBIT H

4/20/04

UNITED STATES BANKRUPTCY COURT, NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Honorable Susan Sonderby, Presiding Judge

Cause No. 02 B 02474

Date 4-20-04

Title of Cause In re Kmart Corporation, et al.
Brief Statement of Motion Motion to Confirm Authority to Pursue State law Remedies re: Post-Effective Date Lease Obligations of Debtor

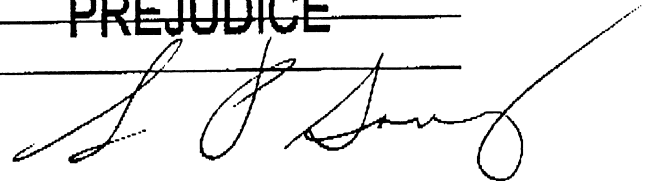
The rules of this court require counsel to furnish the names of all parties entitled to notice of the entry of an order and the names and addresses of their attorneys. Please do this immediately below (separate lists may be appended).

Names and Addresses of moving counsel Michael S. Terrien
JENNER & BLOCK
One IBM Plaza
Chicago, Illinois 60611

Representing Harvard Real Estate-Allston, Inc.

Names and Addresses of other counsel entitled to notice and names of parties they represent SEE CERTIFICATE OF SERVICE ATTACHED TO MOTION

**DENIED WITHOUT
PREJUDICE**



Hand this memorandum to the Courtroom Deputy.
Counsel will not rise to address the Court until motion has been called.